

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**LUIS MARTI, Individually and on behalf of
all other persons similarly situated,**

Plaintiff,

-against-

ATLANTIC MAINTENANCE CORP.,

Defendant.

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GERSHON, United States District Judge:

No objections having been filed, the unopposed Report and Recommendation of Magistrate Judge Cheryl L. Pollak, dated November 16, 2006 is hereby adopted in its entirety. Accordingly, plaintiff Luis Marti's claim against defendant Atlantic Maintenance Corp. is hereby dismissed.

SO ORDERED.

/s/ Nina Gershon
NINA GERSHON
United States District Judge

Dated: December 8, 2006
Brooklyn, New York